

Practitioner's Docket No. MPI01-016P1RNM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Meyers, Rachel E.
Application No.: 10/046,643 Group No.: N/A
Filed: January 14, 2002 Examiner: N/A
For: 33449, A HUMAN PROTEASE FAMILY MEMBER AND USES THEREOF

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed:

☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

☐ *After* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

☐ with sufficient postage as first class mail.

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Signature

Sean Hunziker

(type or print name of person certifying)

Date: May 8, 2002

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(Page 1 of 2)

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

[] Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

[] Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

[X] No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

FEE PAYMENT

3. [] The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

[X] Applicant believes no fee is due in connection with this submission.

Fee due \$0.00

METHOD OF PAYMENT OF FEE

4. [] Attached is a check in the amount of \$ _____.
- [] Charge Account No. 501668 in the amount of \$0.00.
- [] A duplicate of this request is attached.

(x) If any additional fees are due, please charge Account 501668.

May 8, 2002

MILLENNIUM PHARMACEUTICALS, INC.

By

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INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☒ Copies of Listed Information Items Accompanying This Statement

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

May 8, 2002

MILLENNIUM PHARMACEUTICALS, INC.

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Complete if Known

(use as many sheets as necessary)

Sheet	1	of	1
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Application Number	10/046,643
Filing Date	January 14, 2002
First Named Inventor	Meyers, Rachel E. et al.
Group Art Unit	N/A
Examiner Name	N/A
Attorney Docket Number	MPI01-016P1RNM

[illegible]

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document (MM-DD-YYYY)	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	AA	WO	01/71004	A2	Incyte Genomics, Inc.	27/09/01	
	AB	WO	01/75067	A2, A3	Hyseq Inc.	11/10/01	
	AC	WO	01/10903	A2, A3	Incyte Genomics Inc.	15/02/01	1-66, 69, 73, 78, 81, 85-89, 20/44, 40/44 Int'l Search Report (86 pages total)
	AD	WO	98/45436	A2, A3	Genetics Inst Inc.	15/10/98	1-90, 373, 575-618, Int'l Search Report (135 pages total)
	AE	WO	99/58675	A2, A3	Chiron Corp.	18/11/99	1-69, 119, 173-174, 571, Int'l Search Report (80 pages total)

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation design number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.

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Substitute for form 1449B/PTO		Complete if Known	
		Application Number	10/046,643
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	January 14, 2002
		First Named Inventor	Meyers, Rachel E. et al.
		Group Art Unit	N/A
		Examiner Name	N/A
		Attorney Docket Number	MPI01-016P1RNM
Sheet	1	of	1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T ²
	AF	Behrens, M., Michaelis, Gr., Pratje, E. "Mitochondrial Inner Membrane Protease 1 of Saccharomyces Cerevisiae Shows Sequence Similarity to the Escherichia Coli Leader Peptidase" <i>Molecular and General Genetics</i> Vol. 228, (August 1991), pp. 167-176	
	AG	Nishi, T., et al., "Homo sapiens cDNA FIJ25059 fis, clone CBL04610", October 21, 2001 (sequence) GenBank [online]. Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on April 24, 2002]. Retrieved from the Internet: <URL: http://www.ncbi.nlm.nih.gov/ >. GenBank Accession No. AK057788	
	AH	Frankland, J., "Human DNA sequence from clone RP5-1137O17 on chromosome 11p12-14.2. Contains part of a gene similar to putative mitochondrial inner membrane protease subunit 2, a novel mRNA, ESTs and GSSs, complete sequence." May 21, 2001 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on May 3, 2002]. Retrieved from the Internet: URL: http://www.ncbi.nlm.nih.gov/ >. GenBank Accession No. AL133295	

Examiner Signature	Date Considered
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